

REMARKS/ARGUMENTS

The Examiner is thanked for his review of the application.

Claims 1-17 remain in this application. Claims 1-12 have been amended.

Claims 7, 8 have been amended to recite “VPN protocol” and “TCP/IP protocol” respectively. Support for Claims 7, 8 can be found in Paragraph 296, Figure 28A, and Figure 28B. New dependent Claims 13, 14 have been added and support can be found in Paragraph 91 and Figure 6. New dependent Claims 15-17 have also been added and support can be found in Paragraph 297 and Figure 29. No new matter has been added.

In an Office Action dated June 2, 2005, the Examiner has rejected Claims 1, 6-7, and 9-11 under 35 U.S.C. 102(b) as being anticipated by Whittaker et al. (US 6,130,893).

Regarding Claim 1, the Examiner stated that “Whittaker discloses an apparatus (fig. 1) useful in association with a netphone (item 31) and a computer (item 32). The apparatus comprises a telephony interface (item 24) for coupling the netphone to an external telephone system (fig. 2, item 80), a network interface (item 24) for coupling the computer to an external computer network (fig. 2), and a LAN (fig. 1, line connecting items 24 and 31-32; col. 3, lines 12-15) for interconnecting the netphone (item 31), the computer (item 32) and the telephony/network interface (item 24).”

Regarding Claim 6-7, and 11, the Examiner stated that “the network interface is based on xDSL (col. 3, lines 9-11) and the LAN and network interface are based on Ethernet (col. 3, lines 25-27; note: the ATU-R implements the Ethernet protocol by converting between Ethernet formatting and ADSL formatting).” Regarding Claim 9-10, the Examiner has stated that “the external telephone system is a PSTN (fig. 2, item 80) that inherently includes PBX telephone systems.”

The Examiner has also rejected Claims 1-2, 8, and 12 under 35 U.S.C. 102(e) as being anticipated by Fischer (US 2003/0214930).

Regarding Claim 1, the Examiner stated that "Fischer discloses an apparatus (fig. 1) useful in association with a netphone (item 105; para. 38, lines 11-12) and a computer (item 103). The apparatus comprises a telephony interface (item 127; para. 44; para. 38, lines 11-12; note: a telephony interface for allowing the telephone 105 to communicate with telephone networks), a network interface (item 121), and a LAN (item 110) for interconnecting the netphone, the computer, the telephony interface and the network interface."

Regarding Claims 2 and 12, the Examiner stated that "the network interface is wireless (para. 41, last three lines) and the LAN is wireless (fig. 1, item 110)." Regarding Claim 8, the Examiner stated that "the external computer network is the Internet (fig. 1, item 122)."

The Examiner has also rejected Claims 1 and 4 under U.S.C. 102(e) as being anticipated by Rabenko et al. (US 2002/0006137). Regarding Claims 1 and 4 the Examiner stated that "Rabenko discloses an apparatus (fig. 1a) useful in association with a netphone (item 126) and a computer (130). The apparatus comprises a telephony interface (item 102) for coupling the netphone to an external telephone system (para. 40), a network interface (item 102) for coupling the computer to an external computer network (para. 32, lines 5-9), and a LAN (item 110; para. 32, fifth line from last), where the network interface is a cable modem (para. 34, lines 1-2)."

The Examiner has also rejected Claims 1 and 5 under 35 U.S.C. 102(b) as being anticipated by Riemann et al. (US 5,892,764). Regarding Claims 1 and 5 the Examiner stated that "Riemann discloses an apparatus (fig. 1) useful in association with a netphone (telephones connected to item 15) and a computer (item 18). The apparatus comprises a telephony interface (item 12; fig. 2, item 22) for coupling the netphone to an external telephone system (item 16), a network interface (item 12) for coupling the computer to an external ISDN computer network (col. 5, lines 51-54), and a LAN (item 14; col. 4, lines 15-16) for interconnecting the netphone, computer, and telephony/network interface."

The Examiner has also rejected Claims 1 and 3 under 35 U.S.C. 103(a) as being unpatentable over Veerina et al. (US 6,243,379) in view of Riemann et al. (US 5,892,764). Regarding Claims 1 and 3 the Examiner stated that "Veerina discloses an apparatus (fig. 1)

comprising a network interface (item 28) for coupling a computer (item 30) to an external computer network (item 34), and a LAN (links connecting items 30 to device 24) interconnecting the computer and the network interface. The network interface is based on a dial-up modem protocol (col. 1, lines 38-41; col. 5, lines 15-20). However, Veerina does not disclose a telephony interface for connecting a telephone to an external telephone system. Riemann discloses an apparatus (fig. 1) useful in association with a netphone (telephones connected to item 15) and a computer (item 18). The apparatus comprises a telephony interface (item 12; fig. 2, item 22) for coupling the netphone to an external telephone system (item 16) and a LAN (item 14; col. 4, lines 15-16) for interconnecting the netphone, the computer, and the telephony/network interface. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have telephone connectivity in the LAN of Veerina in order to simplify communications wiring by integrating computer and telephone networks (Riemann, col. 17, lines 26-31 and 54-61)."

Independent Claim 1 has been amended to recite "a netphone directory configured to store and to update network addresses for the digital attendant and the voicemail device; and wherein the voicemail device includes a voicemail directory configured to store and to update network addresses for the digital attendant and the at least one netphone; and an attendant directory configured to store and to update network addresses for the netphone and the voicemail device." (emphasis added). Support for the distributed directories of the netphone, the voicemail device, and the digital attendant, can be found on Paragraph 280 & Figure 23 (step 726), Paragraph 281 & Figure 24 (step 762), and Paragraph 282 & Figure 25 (step 812), respectively.

Advantages of the distributed directories of the present invention include increased efficiency and flexibility so that netphones "P1 and P2 may also communicate directly with PC1 and PC2 for services such as Voice Mail, or to facilitate data communication between, for example, USB Devices 27 connected to netphones 82, 84 and the PCs. Once phones P1 and P2 are installed and configured, a first user on phone P1 can place a call to a second user on phone P2 without the need for a central switching device to route the call." (emphasis added) (see Paragraph 91, Figure 1 and Figure 6). Distributed directories of the network devices also

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eliminates the possibility of a single point of failure should the digital attendant malfunction, thereby increasing the overall robustness and reliability of the system.

Hence, since none of the cited references recite the limitations of amended base Claim 1, Claim 1 and dependent Claims 2-17 are all allowable over the cited references, alone and in combination. In addition, Claims 13-17 recite a netphone coupled to an external device and are also allowable because the additional limitations are not disclosed nor suggested by the cited references.

In sum, base Claim 1 has been amended and is now believed to be allowable. Dependent Claims 2-12 have been amended and are now believed to be allowable. Dependent Claims 2-12 which depend therefrom are also believed to be allowable as being dependent from their respective patentable parent Claim 1 for at least the same reasons. Hence, Examiner's rejection of dependent Claims 2-12 is rendered moot in view of the amendment to independent Claim 1. New Claims 13-17 have been added and are also believed to be allowable. No new matter has been added. Applicants believe that all pending Claims 1-17 are now allowable over the cited art and are also in allowable form and respectfully request a Notice of Allowance for this application from the Examiner. The commissioner is authorized to charge any additional fees that may be due or credit any overpayment to our Deposit Account No. 50-2766 (Order No. SW-0301). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at telephone number 925-570-8198.

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Respectfully submitted,



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